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GOVERNMENT OF INDIA
MINISTRY OF LABOUR

NOTIFICATION

New Delhi, the 3rd September 1949

No. LR 2(182).—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to publish the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between (i) the workmen employed in the Howrah Amta Light Railway, Howrah Sheakhla Railway, Arrah Sasaram Railway and the Futwah Islampur Railway, including their head office at Calcutta and (ii) the management, viz. Messrs Martin's Railways, Calcutta

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

REFERENCE NO. 2 OF 1949

Before F. Jeejeebhoy, Barrister-at-Law, Chairman.

Parties—*The Workmen employed in the Howrah-Amta Light Railway, Howrah-Sheakhla Railway, Arrah-Sasaram Railway and the Futwah-Islampur Railway, including their Head Office at Calcutta :*

AND

Their Employers, represented by the General Manager, Martin's Railways, Mercantile Buildings Calcutta.

APPEARANCES :

For the Workmen : Sri Sibnath Banerjee, President, Martin's Light Railways Workers' Union, Sri Paritosh Banerjee ; Sri J. N. Mitra for Martin Railways Employees Union (Head Office Union) and for Bihar Light Railwaymen's Union ; Sri Viswanath Varma, President, Bihar Light Railwaymen's Union ;

For the Company : Sri K. K. Basu, instructed by Sri S. K. Mullick of Messrs. Sandersons and Morgans ; Lt.-Col. E. F. Johnston, General Manager, Martin's Railway.

AWARD

By Notification No. LR-2 (182) of 14th April 1949, the Central Government referred to this Tribunal for adjudication the industrial dispute between the workmen employed in the Howrah-Amta Light Railway, Howrah-Sheakhla Light Railway, Arrah-Sasaram Light Railway and the Futwah-Islampur Light Railway (including head office staff at Calcutta), and the Management thereof represented by Martin's Railways, Calcutta. The Notification by its schedule specified certain disputes which "so far as the Central Government is aware have been raised on behalf of the workmen"; this Tribunal has proceeded on the basis that the items in the schedule were not exhaustive.

The Howrah-Amta and the Howrah-Sheakhla Light Railways traverse a length of 27 miles and 19½ miles respectively, and use a common line for a distance of about 2½ miles from Howrah terminus. The Arrah-Sasaram Railway and the Futwah-Islampur Railway operate in Bihar over a distance of 60 miles and 27 miles respectively. It is agreed that the scales of pay and dearness allowance should be the same for all these Railways.

All the four Railways have agreements between themselves and the public authorities in respect of the land over which the Railways run.

The Howrah Amta Light Railway Co. Ltd. has had an agreement with the District Board of Howrah dated 12th June 1889 according to which *inter alia*, if and whenever the net profits of the Company for working the line between Howrah and Amta shall be in excess of four per cent. upon the capital for the time being of the Company, such surplus profits shall be divided between the Company and the Board in equal shares.

The Howrah-Sheakhla Light Railway Company Ltd. has an agreement of 16th July 1889 with the District Board of Hooghly in terms more or less similar to that of the Howrah-Amta Light Railway.

The Arrah-Sasaram Light Railway Company Ltd. has an agreement dated 17th July 1910 with the District Board of Sahabad where by the Board has guaranteed to supplement the net earnings derived by the Company for such annual subsidy as may be necessary to allow of the Company paying a dividend of four per cent. per annum on a proportion of the Company's share capital, subject to a limit of Rs. 88,000 a year or four per cent. on the share capital whichever is less; any surplus profits in excess of four per cent. on capital was to be divided equally between the Board and the Company.

The Futwah-Islampur Light Railway Co. Ltd. entered into an agreement with the Government of India (Railway Board) on 14th November 1913 whereby, in consideration of certain benefits, it was agreed that all surplus profits earned by the Company after paying interest on the paid-up share capital at the rate of five per cent would be equally divided between the Government and the Company. This Railway had entered into a previous agreement on 31st July 1912 with the District Board of Patna in respect of the use of District Board roads for the Light Railway; when the profits of the Company in any year were in excess of five per cent. of subscribed capital, such excess was to be divided between the East Indian Railway, the shareholders of the Company, and the District Board, in the proportion of 2 : 1 : 1.

A small portion of the line used by the Howrah-Amta and Howrah Sheakhla Railways from the Howrah end fell within the limits of the Howrah Municipality. In September 1939 the Howrah Municipality, in exercise of its powers in that behalf, required the Railways to remove their line from the limits of the Municipality. Two alternatives then presented themselves to the Howrah-Amta Railway Company: either the trains would have to stop outside the Howrah Municipality limit or a new line and terminus would have to be constructed so as to carry the Railway

to a point near the Howrah Station. The latter alternative was adopted. The diversion, which was started in September 1939, has cost up to date 13 lacs of rupees; it has not been completed as certain station buildings have yet to be constructed; but the track has been opened to traffic from February 1948 with satisfactory results to the Company's earnings capacity. The Company has used up its reserves and has spent all available liquid assets in constructing this diversion, and in fact is said to be in debt to creditors to the extent of nine lacs of rupees in consequence thereof.

All the four Railways have been making fair profits and have been declaring modest dividends every year. No undue amounts have gone into or been accounted in reserves.

After the pleadings had been completed I framed by consent the following issues :

ISSUES

- (1) Should there be uniform Dearness Allowance for all employees including Peons, clerical staff, line and workshop staff, at the rate of Rs. 2-8-0 for 10 points rise in cost of living, or should there be any other order concerning the Dearness Allowance of the Workmen.
- (2) Should the recommendations of the Central Pay Commission be applied in respect of the scales of pay of all categories.
- (3) Should any order be made for the extension of House Rent Allowance, Running Allowance, Educational Assistance allowance and Compensatory or City Allowance.
- (4) Are the Workmen entitled to Puja bonus for workshop staff, line staff and Head Office staff at the rate of one month's wage or at any other rate.
- (5) Are the workmen or any of them entitled to a higher rate of rent allowance.
- (6) Should the leave rules be modified in any way.
- (7) Are the workmen entitled to full implementation of Mr. Justice Rajdhyaaksha's award.
- (8) Do the workmen get the rest to which they are entitled.
- (9) Should the contract system of engaging labour be abolished.
- (10) Should there be any rules made regarding promotion and confirmation of workmen.
- (11) Should any recommendation be made concerning the Provident Fund.
- (12) Are the issues regarding Provident Fund and promotion barred by the terms of this Reference.
- (13) Has the Tribunal jurisdiction to consider the issues on house allowance for other than Bankra workshop staff, running allowance, bonus for staff other than workshop staff, educational assistance allowance, city or compensatory allowance, and abolition of contract system.

The main controversy has centred round issues 1 and 2 regarding the basic pay and dearness allowance of the workmen of these Railways, including the head office staff in Calcutta. As to the latter, the Managing Agents have a single establishment for all these Railways (and certain others too) and the cost of such establishment is divided among the different Railways in certain proportions.

The lowest paid workmen get a basic wage of Rs. 30 and a Dearness Allowance of Rs. 20, and it is urged that they should get nothing less than what the State Railways pay, viz. Rs. 30 basic, plus Rs. 35 Dearness Allowance. As regards the rest of the workmen, it is contended that they should get (a) basic wage of which the minimum should not be less than what the State Railways pay, and (b) Dearness Allowance on the scale of the State Railways, and even more in terms of the Pay Commission's Report.

The basic pay as existing at present was fixed in September 1947 by agreement of parties and the scales are given in Ex. 34. The Dearness Allowance at present given is as follows :—

- (a) All line staff including workshop staff get a flat rate of Rs. 20 Dearness Allowance, but exclusive of the clerks on the line.
- (b) The head office clerks and the line clerks all get a flat rate of Rs. 30 Dearness Allowance.
- (c) The lower staff in the head office viz. Peons, Chaprassis and sweepers (to be hereafter called Class IV staff) get Dearness Allowance at a flat rate of Rs. 24.

The workmen are given 15 per cent. of basic as house-rent allowance in cases where essential staff are required to live near the station and cannot be provided with accommodation. The clerical staff in Calcutta are given a compensatory allowance of 15 per cent. with a minimum of Rs. 10, and Class IV staff get the same except that their minimum is Rs. 5. The workmen also have a Contributory Provident Fund and gratuity after 15 years' service. The head office clerical staff get a month's bonus after 8 years service, and proportionately less for lesser periods of service ; and the Head Office Class IV staff get Rs. 10 bonus per year *plus* Rs. 1-8-0 for every completed year of service.

The workmen claim that wherever houses are not provided for them they should receive a house-rent allowance ; and that the Calcutta Compensatory Allowance should be extended to those working in Howrah.

It is urged on behalf of the employers that the Howrah Amta Railway in its present financial position is unable to pay anything more by way of wages. It is contended that the agreements of 1947 (Ex. C, D and 16) represented a fair compromise between the employers and labour, and that there has been no change of circumstances to justify any alteration ; they urge that the Howrah Amta Railway is at present groaning under the burden of a debt of nine lacs of rupees, which will have to be gradually discharged.

It, therefore, becomes necessary for me to decide whether the Howrah Amta Railway and the other three Railways are in a position to pay advances in wages in the event of my deciding that such advances are justified.

Exhibit 1 is a statement of the financial position of the four Companies on 30th September 1948 ; I shall, however, deal in the main with the Howrah Amta Railway, for this is the only one of the four concerns which at present can be said to be bearing a load of debt. The share capital of the Company is 16 lacs, and it had issued debentures to the tune of 7 lacs. Those debentures which bore interest at the rate of 6 per cent fell due for payment in 1948 ; but the debenture-holders were prepared to extend repayment by another 20 years, simultaneously reducing the rate of interest to 4 per cent. Renewals reserve shows about 10 lacs, development reserve 6 lacs, terminal removal reserve $1\frac{1}{4}$ lacs ; and on that basis the total capital outlay amounts to 44 lacs, which with stores reaches the figure of nearly 50 lacs. It is, therefore, urged that the excess of capital sunk over capital and reserves is 9 lacs, financed partly out of an over-draft of $3\frac{1}{2}$ lacs and partly by withholding payment to creditors. In other words the debts at present consist of the over-draft of the Bank of $3\frac{1}{2}$ lacs, and trade debts to the extent of some 6 lacs of rupees. It is quite natural to ask how this amount is going to be liquidated.

It must be appreciated that when the Company decided to shift its terminus at a cost of 13 lacs of rupees, it was incurring an expense which enhanced not only the value of the concern but also its earning potentialities. As to the earnings of this Company, the statement Ex. 3 is instructive. The gross earnings have been steadily increasing from 8.70 lacs in 1937-38 to 17.35 lacs in 1947-48; and it is estimated on the earnings of the half-year that for the year 1948-49 the gross earnings will be in the vicinity of 24 lacs. The operating ratio has, however, correspondingly increased without appreciable difference in ordinary allocation to renewals reserve; it has increased from 55 per cent in 1937-38 to 76 per cent in 1947-48 and it is expected that the year 1948-49 will show more or less the same percentage as in the previous year. The salaries increased from 2.43 lacs in 1937-38 to 6.34 lacs in 1947-48 and it is expected that in 1948-49 the figure will be something like 7.8 lacs. The proportion of salaries to working expenses was 51 per cent in 1937-38, dropped to 36 per cent in 1945-46 and rose again to 48 per cent in 1947-48. The nett profits were 1.25 lacs in 1937-38, and more or less the same (with the exception of 1939-40) until 1946-47, when it dropped to .53 lacs, and rose again in 1947-48 to .81 lacs; the half year of 1947-48 shows a nett profit of 1.07 lacs, which means that for the full year 1948-49 the anticipated nett profit will be about 2.15 lacs, due it seems to the opening of the new terminal station. The Company has paid a dividend of Rs. 6 per share in 1937-38 and lesser dividends in subsequent years; in 1946-47 and in the following year the dividend was Rs. 2-12-0 per share, and in 1948-49 the expected dividend is about Rs. 3-8-0 per share.

Now these figures indicate a healthy state of affairs, but for the debts amounting to about 9 lacs of rupees which the Company will have to take steps to discharge within a reasonable time. Of this the Bank's overdraft of 3½ lacs can be regarded as a floating trade debt. The other creditors, however, are not pressing; quite a portion of the debts are due to the Managing Agents themselves; and it is not doubted that these debts will be liquidated, given the time. The workmen have rightly pointed out that as a result of the change of terminus certain lands have become surplus to the requirements of the Company and that they can be sold in order to pay off a portion of the debt, considering that the debt itself came into existence on account of money spent in capital expenditure. The workmen consider that three lacs is the lowest price which such lands would fetch. I called Mr. M. S. Davar, Chartered Accountant, not only to help the workmen in an understanding of the accounts, but also to give evidence. In his opinion, the financial position of the Company is sound, although the cash position is weak; it has used up its liquid resources for investments in capital assets either with a view to earning more profits or to maintain its profits; there is certificate attached to the Balance Sheet of the General Manager, countersigned by the Government Inspector of Railways, that the fixed assets of the Company have been maintained in good working order and repair for the public carriage of passengers; in the half year ending 30th September 1948 the Company had spent about 2.72 lacs for maintenance, repairs, replacements and renewals, and the net profit of 1.07 lacs for the half year has been arrived at after charging this sum of 2.72 lacs, and also after making provision for taxation and other ascertained liabilities; assuming that there is no further call on capital and that profits are maintained as in the previous half year, then if a 5 per cent dividend on capital is allowed amounting to an expenditure of Rs. 80,000 it would still leave a surplus of about 1.34 lacs; allowing also for an annual provision of Rs. 35,000 to re-pay debentures at the end of 20 years, there would be a surplus profit of about a lac of rupees.

I must of course take into consideration the fact that the profits are shared by the District Board, the share-holders and the Managing Agents. The Commission Agency fees amount to Rs. 1,000 a month as establishment expenses; added to this is 10 per cent share of net earnings, less actual expenditure on replacements, less debenture interest; Managing Agents do not engage any special staff for these Railways, except that their Cash Department and Stores and Share

Departments are utilised for these Railways, together with office maintenance; the Managing Agents do employ a Chief Accounts Officer whose salary is not charged to these Railways, but of course he does other work as well.

It would appear, therefore, that the Company after making a substantial payment towards maintenance and repairs in the half year of 1948-49, has been able to show a net profit of Rs. 1.07 lacs. The Company can further stabilise its position by selling its lands which are surplus to requirement; it could also temporarily defer allocations to the debenture repayment fund until the finances of the Company have improved (unless there is something to the contrary in the deed of trust of the debenture-holders).

I think it is incontrovertible that while the claims of the District Board may not be postponed, the claims of the share-holders to their accustomed dividends and of the Managing Agents to their commission must yield priority to the payment of fair wages to the workmen. Indeed, there is no need for anybody to suffer, provided that each takes his legitimate share according to the prevailing conditions. Trade debts amounting to 5 lacs, and including claims of the Managing Agents for goods supplied and commission agency dues, are by no means so heavy a burden as I am asked to believe, considering (a) that the surplus land can now be sold to advantage and (b) that the earning capacity is on a sound basis; while I agree that running stock needs replacement, it is undeniable that in the last half year 2.72 lacs were spent on renewals and repairs and yet left over a substantial profit. I have carefully considered the position, and have come to the conclusion that the Company is in a position to pay the advances which I propose to give to the workmen by this award.

The workmen's contention that all private Railways should pay wages at the same rates as the State Railways is a plea which I am unable to accept. There is a great deal of difference between State Railways and private Railways; private Railways are necessarily run on commercial lines with an eye to profit, while State Railways although endeavouring to pay their way are more concerned with public service; profits on one State Railway can be set off to equalise loss on another, which is not possible with these small private Railways. Further, the nature of the work on State Railways and on private Railways, and also among private Railways themselves, differs so much that no hard and fast rule is permissible as to what private Railways should pay to its workmen. While there are some prosperous private Railways, there are also Railways which are working at a loss, and this Tribunal has had before it the cases of two light Railways which could not stand a higher wage bill.

Sri Basu for the owners has contended that the Pay Commission's Report has not been implemented by the State Railways, and that the three agreements between the Companies and labour which were entered into as late as 1947 must be deemed to represent the then existing fair wages; that there has been no change of circumstances since then, and that in fact the price index has receded; he also points out that compared to similar concerns these Railways pay more; and reference has been made to the Dchri-Rohtas Light Railway and Bengal Provincial Railway, as to which awards have been already given. It must, however, be observed that each case stands on its own merits and no two cases can be exactly similar. My attention is also drawn to the Engineering Tribunal's Award (*Calcutta Gazette Extraordinary of 3rd July 1948*—page 564).

Sri Basu has also pointed out that these four Railways give their workmen the dual benefits of Provident Fund and Gratuity, and that the scale of the Contributory Provident Fund is much higher than elsewhere; for instance, the employers contribute 8.1/3 per cent to the Provident Fund and pay interest at 4 1/2 per cent. There can be no doubt that in these matters the owners have been generous.

Sri Shibnath Banerjee has urged in reply to these points that there has been a change of circumstances since 1947 to justify a change of the wage structure ; the Government of India has paid Rs. 10 as advance of D. A. to its Railway staff ; the diversionary line, which has been under construction when the agreements of 1947 were made, has now been completed and was opened to traffic on 1st February 1948; the rates and fares at the time of the agreement were lower than what they are to-day, and land has now become surplus which the Company could sell towards the liquidation of debts. The Tribunal has been referred to page 583 of Engineering award for a summary of the main points, and it is pointed out that the minimum basic wage of the unskilled worker is fixed at Rs. 30 per month. Sri Mitra for the Union expressed willingness to accept the Kalighat-Falta Railway wage structure (Ex. 25) provided that no existing benefits were taken away. This of course is a condition which affects the basis of his offer.

During the course of the arguments on the question of Head Office clerical staff, the owners agreed that if the present scale of the clerical staff at the head office is less than 160 of 1939 = 100, then the owners would accept the Bengal Chamber of Commerce scale for relevant categories. The workmen agreed to this provided that nobody was adversely affected by this decision ; the owners accepted this condition, but maintained that while they would make the initial adjustment according to the Bengal Chamber of Commerce award they could not accept the maximum grade, and that the maximum should be their present maximum. This arrangement is reasonable, and it is ordered accordingly with effect from 1st April 1949. The additional amounts will be added to basic and will run through the grades as was done in 1947.

It has been brought to my notice that in Exs. 'C' and 16 (the agreements as to wages of September 1947), it is stated that the agreements were in settlement of the claims under the Pay Commission's Report. While agreements must command respect, the Tribunal cannot be fettered by such a term, if other circumstances are different.

The principle which this Tribunal has followed in the fixation of basic wages and Dearness Allowance has now been confirmed by the Fair Wages Committee. It is fundamental that the basic wage plus the Dearness Allowance shall not fall below the lower ceiling of the fair wage structure, and it is now recognised that the basic wage should be about 160 where it was 100 in 1939. There is no great difficulty in ascertaining the basic wage, but on the subject of Dearness Allowance there is much scope for discussion.

The workmen in these four Railways number approximately as follows

- | | |
|--|------------------------------|
| (a) Joint Head Office staff (of which 45 per cent is paid by the Shahdara-Saharanpur Railway). | 183 |
| (b) Howrah-Amta | 1059 including the workshop. |
| (c) Howrah-Sheakhala | 238 |
| (d) Arrah-Sasaram | 489 |
| (e) Futwa-Islampur | 181 |

Ex. 34 contains a list of all the categories with (a) scales of pay of 1939, (b) their scale of 1939 plus 60 per cent, and (c) the present basic wage scale. The present basic wage was introduced in July 1947 ; and I direct that wherever the such basic wage of the workmen (other than Head Office clerical staff) falls short of the 1939 scale plus 60 per cent, they should be advanced accordingly. I am told that in 1947 a fixed figure was added to all then existing basic wages, and I direct that wherever the 1947 figures are found to be short of what is hereby ordered, the requisite addition shall be made through the grades as was done in 1947. I hold

that Station Masters and Assistant Station Masters are not workmen as their duties are not essentially manual or clerical. The increased basic figures will be deemed to have come into force from 1st April 1949.

I have considered the grievance of the workmen that their basic wage in certain cases falls short of what is being paid by the State Railways. It is contended that at least the minimum starting figure of the grades in the State Railways should be applied to these Railways, and in Ex.34-A the workmen have indicated the categories of which the basic wages ought to be increased. But for the reasons which I have already indicated, I do not think I would be justified in applying in every case the minimum basic wage of the various categories of the State Railways. The profits of these four Railways and the dividends which they have been paying all along have been modest, and they have not been able to set aside anything substantial by way of reserves ; it may well be that the Shahdara-Saharanpur Railway and the Kalighat Falta Railway have adopted the scales of the State Railways ; but I am told that their financial circumstances are different ; added to which is the fact that the Shahdara-Saharanpur Railway is in an area some 900 miles from here, catering to a different locality altogether. I have nothing before me to indicate the financial position of the Kalighat-Falta Railway ; but this Tribunal is unable to ignore the character of the Railways concerned in this Reference and their general financial position—I may add that I have gone carefully through the list, Ex. 34, and by comparison with State Railway's scales am satisfied that no item of basic wage is so low as to need revision, except as hereinbefore stated.

As regards Dearness Allowance it does appear that the D. A. paid to the workmen is somewhat low. The employers have been reasonable on this subject and have offered to increase the D. A. of everybody by a flat rate of Rs. 7/. The East Indian Railway pays D. A. (Ex. 24) of Rs. 35 for salaries up to Rs. 50, with a sliding scale rising to Rs. 60 for salaries between Rs. 201—250. Kalighat-Falta Railway pays D. A. according to State Railway Rules. The Shahdara-Saharanpur Railway has adopted the E. I. Rly. scale of D. A. The majority of the workmen on the line are in the grade Re. 1-100 ; and only 10 persons in all the four Railways draw anything above it (Ex. Q). 1,622 workmen are in the grade up to Rs. 50 ; and 335 in the grade Rs. 51—100 ; it would, therefore, appear that a flat rate of dearness allowance for these four Railways is not an unreasonable arrangement.

But it does seem desirable that the dearness allowance in the lower categories should be more or less uniform, because dearness allowance is intended to neutralise the higher cost of living from which everybody suffers in more or less equal degree in the lower grades of service. If the State Railway rules were to prevail, the majority of the workmen in these Railways would get dearness allowance of Rs. 35 per month and practically the rest of them would get a dearness allowance of Rs. 45 a month. (Ex. R).

As regards the Head Office staff : 58 are in the grade up to Rs. 50, 93 from Rs. 51—100, 20 from Rs. 101—150, 9 from Rs. 151—200 and 3 from Rs. 201—250.

As to the claim of the workmen that the dearness allowance should proceed on the basis of the Pay Commission's report, and that there should be a fairly complete neutralisation in the rise in cost of living index, I am afraid that claim is difficult to sustain. In the first place, neutralisation to the full would only help inflation ; and secondly it would be beyond the capacity of these small Railways ; the Government itself has not been able to follow all the recommendations of the Pay Commission's Report in respect of its own servants ; and there are wide difference in the basic pay and dearness allowance of different provinces.

I have given very careful consideration to this question of Dearness Allowance, and in my opinion the dearness allowance of all the line staff including workshop staff (but excluding clerks), who receive Rs. 20 at present, should be increased by Rs. 8. The Class IV staff in the office who receive at present Rs. 24 as dearness allowance shall have an increase of Rs. 7 per month; the office clerical and line clerical staff who get dearness allowance of Rs. 30 at present shall receive an increase of Rs. 10 per month. Such advances shall be given as and from 1st April 1949.

It is agreed that there shall be uniformity of scales between Bengal and Bihar, and consequently no special orders are necessary concerning locality.

There is no dispute that what is allowed in respect of Howrah-Amta Light Railway shall apply to the other three Railways as well, which have features largely in common with the Howrah Amta Light Railway, and whose financial position and outlook is fairly stable.

ISSUE NO. (3)

(a) *House Rent Allowance*.—The Company pays 15 per cent House Rent Allowance to those essential servants who are required by their work to stay near station and who are not allotted rent free quarters; essential servants have been defined as those whose services are likely to be called upon in an emergency during any part of day or night and/or if by the nature of their duties they have to reside close to the railway station i.e. work connected with the running trains. It is contended by the workmen that a sufficient number of essential staff do not get free accommodation or house rent allowance. It is also a complaint that none of the head office staff get any House Rent Allowance and that they are entitled to have houses provided for them. In reply it has been stated by the Company that no office or industry provides housing or gives house rent for the head office staff; that as regards House Rent Allowance, it is given to everybody who deserve it. There seems to have been some dispute as to whether the Gangmen were essential staff, but it is now admitted by the owners that they are essential, and I hold that they are entitled to House Rent Allowance if they are not provided with quarters. I do not think that I should make any further order on this issue; the building of houses is not a burden which the Company can be expected to bear; where staff are essential and have to be on the line they are provided with accommodation wherever possible or given something by way of compensation, and that seems reasonable.

(b) *Running Allowance*.—It is represented by Labour that the scales of running allowance should conform to the findings of the Running Allowance Committee, and that night passing allowance plus mileage allowance should be increased by 50 per cent. In answer to this the Company has produced its memo (Ex. K) whereby from 1st April 1949, 50 per cent increase in the Travelling Allowance has been construed to include both night passing, daily and/or mileage allowance of T.T.Es. and clerks; and that in my opinion is quite satisfactory and in fact what the workmen wanted. The workmen, however, on the production of Ex. K. asked that the 50 per cent increase should have retrospective effect from 1944; that is not possible.

(c) *Educational Assistance Allowance*.—The workmen claim that the owners should pay Rs. 10 per child of school going age per month for education purposes, and they say that this is the figure which Birla Brothers are paying in their 26 concerns. The owners say that they are unable to afford it, that there are schools in Calcutta as well as in the villages, and that provision for education is in fact the duty of the State. That may be so, but nevertheless I look upon education as a social necessity, and I think that some relief is indicated in the case of the

lower paid workmen to help them in educating their children. I direct that the children of the workmen, whose total earnings are less than Rs. 100 per month, shall receive from the Company by way of educational help one-third of the school fees of their children up to middle school standard plus free railway travel on their railways for schooling purposes.

(d) *Compensatory or City Allowance*.—The Head Office staff get a Compensatory allowance of 15 per cent with a minimum of Rs. 10 and the Peons get the same percentage with a minimum of Rs. 5. The workmen claim that this should either be increased or they should be given House Rent Allowance. The workmen also claim that Compensatory Allowance should be extended to Howrah. I consider that the Compensatory or City Allowance is sufficiently generous, and that it would not be justifiable to order any House Rent Allowance. As regards the extension of this Compensatory Allowance to Howrah, I find that the State Railways allow it, and it is ordered that if there are any Head Office staff on duty in Howrah, they shall also receive this Compensatory Allowance.

ISSUE No. (4)

This issue refers to the one month's bonus per year after 8 years service and proportionately less for less service which the head office and Bunkra clerical staff receive from the Management. The line staff have received 7 days wages as bonus for the last two years as a result of the agreement of 1947, but this has not been extended to the two Bihar Railways. It is claimed that all the staff of the railways should get one month's bonus and that there should be no distinction. The owners contend that they are unable to meet the cost of one month's bonus, and they point out that they have been paying 7 days bonus only to those who worked during the rush times of Pujah. In present circumstances I am not inclined to extend the bonus to all workmen, but it is ordered that categories of the two Bihar Railways shall have the same bonus which similar categories get in the other two Railways.

ISSUE No. (5)

This issue has been considered when I dealt with Issue No. (3)

ISSUE No. (6)

It is suggested by the workmen that the leave rules need amendment. Ex. N are the leave rules applicable, and they are in my opinion fair, in fact generous. It is said that the Company does not give any leave on full pay to employees with less than one year's service, but there is nothing surprising in that. It is also said that the leave rules should conform to the terms of the Rajadhyaksha Report Vol. I; but this report has not yet been implemented by the Government, as far as I am aware, and in any event it is not applicable to private Railways. The owners, however, have expressed their willingness to apply the terms of the Rajadhyaksha Report in the matter of leave except on the question of accumulation; they say that their terms as to accumulation are reasonable, by which one month's accumulation is allowed to the lower staff and three months to the rest. The owners have ultimately agreed that Class IV employees should be allowed to accumulate two months' leave and others three months, and this is a satisfactory solution. Ordered accordingly.

(Class IV is the new designation of the lower paid staff.)

ISSUE No. (7)

This issue has been answered in the previous issue.

ISSUE No. (8)

The question of rests which has been raised has been carefully examined. The Hours of Employment Regulations are not applicable to these private Railways, but the Tribunal will of course bear in mind the provisions of that Regulation when considering the question of rests in relation to any particular Railway. In fact the Company has stated, and it has not been denied, that it has been working more or less on the lines of the Regulation, by applying it to the engineering staff—but not to the running staff. Upon a careful consideration of the nature and character of the traffic on each of these lines, from a study of the time tables and of the movement of trains at particular times, it transpires that only at certain flag stations sufficient rest is not given to the A. S. M.-in-Charge, and those stations are Semmon, Dhanauti and Nonar on the Arrah-Sasaram line. I direct that the owners shall take steps to re-arrange the staff at these three stations so that sufficient rest can be provided for the A. S. Ms. It has also been urged that the Signaller is on duty for longer periods than he should be and this seems to be a genuine grievance. I direct that there shall be an A. S. M. in place of the Signallers to help the S. Ms. and that Signallers must be replaced for the work of passing trains. The workmen's claim for weekly rest has had special reference to the S. Ms. and A. S. Ms., but I hold that they are not workmen and do not come within the purview of this Reference, as their work is essentially not clerical. There was an allegation that guards, drivers and firemen in the Arrah-Sasaram Railway were made to work for too long hours on goods trains, but there is no evidence to support it. I would answer this issue in this sense that except in the case of the three flag stations, the workmen appear to have reasonable rests.

ISSUE No. (9)

Contract System.—The contractors are employed to do certain types of work at the Bankra workshop, and it is urged that they thereby deprive others of employment, apart from exploiting labour. The owners have stated that contracts are given only for jobs which are out of the ordinary, the day to day work being carried out by the Railway staff itself. It is urged that certain types of work have to be given to these contractors because skilled labour is not available in the Company's workshop and the necessary supervisory staff is not there. The owners give the assurance that they propose to undertake large overhauls and probably reduce the contractor's work, and upon that assurance being given, I do not think that any further order is necessary. The contractor should be eliminated from the Bankra workshop as soon as that can be managed, and in the meantime the employers must satisfy themselves that the contractor's employees are duly paid their just wages.

ISSUE No. (10)

As regards rules for promotion and confirmation of workmen, it is agreed by the parties that I should make the following order :—

There is no contest that other things being equal the next senior man should be selected for promotion ; but in my opinion it would be detrimental to discipline and efficiency if promotions were ordered to proceed on seniority alone. I think that the following directions should provide an adequate guide :

- (a) Other things being equal promotion is to be made by seniority but if a workman is not to be promoted by seniority, the final orders of the Managing Agents shall first be obtained. Before promotion is made, or in order to confirm promotion, the Management shall be entitled to be satisfied as to the fitness of a workman for promotion, if necessary by individual tests relating to the work which he will

be required to do. If the Departmental Head does not propose to promote the next senior man he shall inform him thereof, in which case the latter shall be entitled to make a representation to the Managing Agents through the Works Committee or direct if he so likes. Such representation shall be made forthwith so that the decision of the Managing Agents may not be delayed. The President or the Secretary of the Union may also interview the Managing Agents concerning such promotion but before final orders are passed. (I do not favour the idea of the Managing Agents stating in writing the reasons for supersession, and the Union agrees with me that it may prejudice the workman's future.)

- (b) Wherever Government certificates are required, they shall be considered essential for appointment or promotion.
- (c) Normally, promotions will be within the same Department, but persons in the employ of the Company shall be given chance of transfers when vacancies occur (subject to the claims of those within the Department) and this will continue.

ISSUE NO. (11)

It is urged on behalf of the workmen that Running Allowance and over-time should be included in the total wage for the purposes of Provident Fund contribution. The owners contend that it is not permissible to deduct money except from basic wage for the purposes of Contributory Provident Fund. While it is true that the Running Allowances do augment wages it is not part of the basic wage although I believe that a portion of it is regarded as basic for the purposes of contribution in the State Railways. The general position here is different and no orders on this issue are indicated.

ISSUE NOS. (12) AND (13)

The last two issues have not been pursued.

Copies of the following Exhibits are attached to this award : Exhibits 1, 2, 3, 4, 5, 16, 34, 35 (1st page—summary only), 'C', 'D' and 'H'.

NOW, THEREFORE, THIS TRIBUNAL MAKES ITS AWARD IN TERMS AFORESAID, THIS THE 3RD DAY OF AUGUST 1949.

F. JEEJEEBHOY, *Chairman,*

Central Government Industrial Tribunal at Calcutta

Statement No. 1

POSITION AS AT 30-9-48.

	H. A.	H. S.	A. S.	F. I.
Share Capital	18,00,000	6,00,000	21,69,300	11,49,900
4 per cent Debentures	7,00,000	Nil.	.. 4½% Loan from Govt.	7,50,000
	<u>23,00,000</u>	<u>6,00,000</u>	<u>21,69,300</u>	<u>18,99,900</u>
Renewals Reserve	10,23,712	3,51,604	1,61,389	..
Dev. „	6,00,000	85,000	4,50,000	..
Terminal Removal Reserve	1,25,000	.. (Cont. R)	60,000	6,000
Stores Reserve	25,000
	<u>17,73,712</u>	<u>4,36,604</u>	<u>6,70,989</u>	<u>6,000</u>
Capital and Reserves	40,73,712	10,36,604	28,40,289	19,05,900
Total Capital Outlay	44,07,918	10,53,241	27,16,969	19,05,274
Stores	5,70,034	..	45,656	27,722
	<u>49,77,952</u>	<u>10,53,241</u>	<u>27,62,625</u>	<u>19,32,996</u>
Excess of Capital sunk over Capital and Res..	9,04,240	16,637	77,664	27,096
This excess has been financed partly out of Bank O/D and partly by withholding payment to Crs. beyond the normal period of credit: Crs.	3,49,561			
	12,01,699			
Drs.	4,09,714	7,91,985		
	<u>11,41,546</u>			

EXHIBIT 2.

Statement No. 2.

THE HOWRAH-AMTA LIGHT RAILWAY.

FINANCIAL POSITION.

As on.	Creditors.			Debtors	Excess of Crss. Over Drs.	Funds available against 6			Surplus or Deficit—
	Bank O/D	Trade	Total			Cash.	Investment	Total	
1	2	3	4	5	6	7	8	9	10
30-9-37	Nil	1,61,723	1,61,723	83,148	78,575	60,697	1,43,092	2,03,789	+1,25,214
31-3-38	Nil	1,21,464	1,21,464	98,358	23,106	29,388	1,43,092	1,72,480	+1,49,374
30-9-38	Nil	1,52,852	1,52,852	87,199	65,653	47,405	1,43,092	1,90,497	+1,24,844
31-3-39	Nil	1,52,267	1,52,267	75,316	76,951	1,28,246	1,43,092	2,71,338	+1,94,387
30-9-39	Nil	2,31,260	2,31,260	1,22,361	1,08,899	81,241	1,43,092	2,24,333	+1,15,434
31-3-40	Nil	1,44,446	1,44,446	75,740	68,706	67,945	1,43,092	2,11,037	+1,42,331
30-9-40	Nil	2,16,915	2,16,915	1,19,123	97,792	49,902	1,43,092	1,92,994	+95,202
31-3-41	Nil	1,78,098	1,78,098	1,36,583	41,515	63,544	1,43,092	2,06,636	+1,65,121
30-9-41	1,52,745	2,71,451	4,24,196	59,658	3,64,538	17,516	1,43,092	1,60,608	-2,03,390
31-3-42	2,71,769	1,72,364	4,44,133	1,44,299	3,99,834	8,002	1,43,092	1,51,094	-2,48,740
30-9-42	99,435	4,00,200	4,99,635	99,556	4,00,079	5,645	1,43,092	1,48,737	-2,51,342
31-3-43	1,00,912	4,70,590	5,71,502	1,64,477	4,07,025	11,430	1,43,092	1,54,522	-2,52,503
30-9-43	1,72,665	4,59,982	6,32,647	1,87,647	4,45,000	6,498	43,078	49,576	-3,95,424
31-3-44	1,63,319	3,84,152	5,47,471	1,51,296	3,96,175	6,616	43,078	49,694	-3,46,481
30-9-44	2,59,587	4,58,341	7,17,928	1,75,137	5,42,791	8,337	43,078	51,415	-4,91,376
31-3-45	2,61,584	5,14,495	7,76,079	65,177	7,10,902	7,665	43,078	50,743	-6,60,159
30-9-45	2,95,324	5,05,796	8,01,120	1,38,818	6,62,302	11,661	43,078	54,739	-6,07,563
31-3-46	2,95,811	5,61,104	8,56,915	1,60,641	6,96,274	13,262	43,078	56,340	-6,39,934
30-9-46	3,97,857	6,24,791	10,22,648	2,13,881	8,08,767	12,288	43,078	55,366	-7,53,401
31-3-47	2,86,711	7,20,613	10,07,324	1,88,218	8,19,106	13,799	43,078	56,877	-7,62,229
30-9-47	3,12,481	10,29,634	13,42,115	2,88,776	10,53,339	15,792	43,078	58,870	-9,94,469
31-3-48	2,99,455	12,48,952	15,48,407	3,13,549	12,34,858	28,546	43,078	71,624	-11,63,234
30-9-48	3,49,561	12,01,699	15,51,260	4,09,714	11,41,546	15,950	43,078	59,028	-10,82,518

EXHIBIT 3

Statement No. 3.

THE HOWRAH-AMTA LIGHT RAILWAY

Year.	Gross Earnings.	Working Expenses (including salaries).	Operating Ratio	Allocations to Renewals Reserve.	Salaries and Wages paid.	Per cent. Salaries to Working Expenses.	Net Profits.	Transfers to Reserve.	Dividends paid.	
									Amount.	Per cent
1	2	3	4	5	6	7	8	9	10	11
Rs. A. P.										
37/38	8,70,432	477,487	55%	1,28,000	2,43,681	51%	1,25,556	1,50,000	95,570	5 15 6
38/39	8,89,937	5,16,258	58%	1,28,000	2,65,164	51	1,05,283	1,04,217	67,882	4 3 10
39/40	8,39,042	5,12,582	61	1,28,000	2,51,234	49	79,899	15,000	60,750	3 12 9
40/41	8,90,305	4,99,679	55	1,28,000	2,63,811	53	1,17,363	60,000	51,916	3 3 3
41/42	10,31,660	5,50,246	53	1,28,000	2,69,358	49	1,02,626	50,000	49,833	3 1 10
42/43	12,33,100	6,02,051	49	1,26,500	2,93,243	49	1,39,333	92,000	48,167	3 0 2
43/44	13,48,604	7,69,955	57	1,25,000	3,21,644	42	1,10,152	63,000	46,667	2 14 8
44/45	14,60,714	8,86,130	61	1,25,000	3,40,228	38	1,29,716	75,000	56,250	3 7 6
45/46	15,71,933	9,55,593	61	1,25,000	3,40,147	36	1,11,257	55,000	55,000	3 7 0
46/47	13,15,094	9,72,826	74	1,25,000	4,65,654	48	53,037	5,000	44,000	2 12 0
47/48	17,35,687	13,15,880	76	1,25,000	6,30,715	48	81,798	35,685	44,000	2 12 0
½ year to 30-9-48	11,98,296	8,28,806	69	62,500	3,93,548	47	1,07,233	80,000	27,500	3 7 0
% increase over 1939/40	274%	323%	8%	..	313%

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ACTUAL EARNINGS OF HOWRAH-AMTA LIGHT RLY. CO. LTD.

Month.	Amount. Rs.
October 1947 (Actual)	1,58,540
November, 1947	1,63,318
December 1947	1,56,013
January 1948	1,69,460
February 1948	1,91,096 (New diversion opened)
March 1948	2,00,890
April 1948	2,02,825
May 1948	2,21,478
June 1948	2,07,013
July 1948	1,98,627
August 1948	1,88,690
September 1948	1,79,659
October 1948	2,08,231
November 1948	1,93,174
December 1948	1,93,194
January 1949 (Approx)	1,99,368
February 1949	1,98,645
March 1949	2,18,789
April 1949	2,02,859

EXHIBIT 5.

PERCENTAGE OF SUPERVISORY EXPENSES TO TOTAL SALARIES AND WAGES
FOR THE HALF-YEAR TO 30-9-1948.

	Howrah- Amta.	Howrah- Sheakhalla	Arrah- Sasaram.	Futwah- Islampur
	Rs.	Rs.	Rs.	Rs.
1. Supervisory Expenses	25,069	5,404	16,243	4,455
2. Total Salaries and Wages	3,93,548	1,00,881	2,04,833	82,828
	6.3%	5.0%	7.8%	5.4%

EXHIBIT 16

Terms of agreement arising from the discussions between the Martin's Railways (Managing Agents: M/S Martin & Co., Calcutta) as represented by the Acting General Manager and the staff of the Railway Offices at Mercantile Building as represented by Messrs. Suprakash Mitra, Hrishikesh Banerjee and Santosh Banerjee (Members of the Committee authorised to sign the agreement in terms of resolution passed in the General Meeting of the staff held on the 19th September, 1947—copy enclosed).

1. This agreement is entered into by both the parties in satisfaction of the demands put forward on the basis of the Report of the Central Pay Commission and is independent of any enactment or settlement elsewhere.

2. The minimum pay of the Clerical staff shall be Rupees Fifty (50) and of the Inferior staff Thirty (30).

3. The Dearness Allowance of the Clerical and the Inferior staff attached to and working at the offices at Mercantile Building shall be Rupees Thirty (30) and Twenty four (24) respectively.

4. The Clerical staff shall be granted a flat increase of Rupees Twelve (12) on their present pay and the Interim Relief of Rupees Four (4) already granted shall be consolidated with pay.

5. The increase in Pay and Allowance shall be effective from the 1st July 1947.

6. New Scales of pay shall be drawn, if possible, within a fortnight from date.

7. There shall be no victimisation.

8. The Administration will have no objection to recognise a duly constituted Union of the staff of the Railway Offices at Mercantile Building.

W. B. UTLEY,
General Manager,
Martin's Light Railways.

1. SUPRAKASH MITRA,
2. HRISHIKESH BANERJEE
3. SANTOSH K. BANERJEE

{ Members
of
Committee.

Calcutta : 20th September, 1947.

EXHIBIT 34.

SCALES OF PAY

23-6-49.

HOWRAH-AMTA, HOWRAH-SHEAKHALA, ARRAH-SASARAM AND FUTWAH-ISLAMPUR LIGHT RLYS.

*Indicates Supervisory Staff.

†Indicates initial salary below 160% of 1939 starting salary.

Designation.	Scale 1939.	Initial Salary of 1939 Scale plus 60% of that	Present Scale	Remarks.
1	2	3	4	5
1. Clerks: Grade I . . .	28—2/2—40	Rs. 45	Grade A . . . 50—3—80	
„ II . . .	43—3/2—58	„ 69	Grade B . . . 80—4—120	
„ III . . .	60—5/2—75	„ 96	General Assistant . . . 110—5—150	
Section-in-Charge } 1st Assistant } Head Trains Clerk } etc. }	80—10/2—120	„ 128	120—6—180†	
Head Clerk . . .	120—5—140	„ 192	180—10—250†	
Special Head Clerk	150—10/2—200	„ 240	None.	
2. Typists	43—3/2—58	„ 69	Grade A . . . 50—3—80† „ B . . . 80—4—120	
Typiste, Head . . .	Nil.	Nil.	110—5—150	
3. Pay Clerks	60—2/3—90	Rs. 96	Grade A . . . 80—4—100† „ B . . . 100—5—140	
4. Cash Counters: Grade I	28—2/2—40	„ 45	Grade A . . . 50—3—80 }	In 1939 they used to be called Cash Office Assistants. Grade abolished.
„ II	43—3/2—58	„ 69	„ B . . . 80—4—100 }	
„ III	60—5/2—75	„ 96	Nil	
5. Cashier	125—5—200	„ 200	180—10—250†	In 1939 he used to be called Head Cashier.
6. Stenographer	60—5/2—100	„ 96	110—5—160/E.B.— 10—200.	

7. Comptometer Operator	60—5/2—75	Rs. 96	Grade A " B	72—4—100† 100—6—160	{ Of the two in service now, only one was in service in 1939 and was getting Rs. 65. In 1947 it was raised to Rs. 126. The other one is in grade A. Scale in other offices in Calcutta : 70—4—124/E.B.—7—170.
8. Draughtsman :	Head . 60—5/2—75 Assistant : Grade I . 28—2/2—40 Grade II . 43—5/2—58	Rs. 96 " 45 " 69		140—5—160—10—220/E.B.—10—250. 60—3—90 90—5—140	
9. *Audit Inspector and Stock Verifier.	70—5/3—110	" 112		130—10—250	
*Asst. Inspector & Stock Verifier.	Nil.	Nil.		75—5—120	
10. Motor Car Drivers	60 (Fixed)	" 96		60—3—90†	(Bengal Chamber Rate : 55—1—75).
11. Literate Sorters and Duffries	Nil . . .	Nil . . .		35—1—50	
12. Cash Durwans	19—1/3—25	" 30 . . .		32—1/2—40	
13. Peons	16/—1/3—20	" 26 .	Grade A Grade B	30—1/2—35 35—1/2—40	
14. Loco Clerks	Nil . . .	Nil	Grade A Grade B	80—4—120 } 120—6—180 }	Same as clerks (1)
<i>Engineering Line Staff</i>					
15. *P. W. Inspectors :					
1st Grade	100—5/3—120	Rs. 160.		130—10—250†	(Special Grade abolished).
Special	130—5/3—150				
*Asst. Do.	40—5/3—80	" 64		75—5—150	
16. *Inspector of Works :					
1st Grade	60—5/2—100	" 96 . . .		130—10—250	(Special Grade abolished).
Special	100—5/2—120				
*Asst. Do.	Nil.	Nil.		75—5—150	
17. Time-Keeper :	Grade I . 28—2/2—40 Grade II . 45—5/3—55	Rs. 45 . . .		50—3—80 . . .	(Grade II abolished).
18. Works Sircar & Head Mistry	30—2/3—48	" 48 . . .		40—1—60†	

1	2	3	4	5
19. Mates : (Bengal) (Bihar)	17—2/3—27. 16—2/3—26.	Rs. 27	35—1—40—2—50	(Distinction between Bengal and Bihar grades abolished under agreement with the Unions)
20. Keyman : (Bengal) (Bihar)	16 (Fixed) 15 (Fixed)	„ 26	32—1/2—40	(Distinction between Bengal and Bihar grades abolished under agreement with the Unions).
21. Gangman, Carpenter, (Bengal) Trollyman, Cooley (Bihar)	12—1/3—15. 11—1/3—14.	„ 19	30—1/2—35	Ditto.
22. Gharami	Nil.	Nil.	35—1/2—40	
23. Chowkidar.	Nil.	Nil.	32—1/2—40	
24. Blacksmith, Carpenter, (Bengal) Fitter and Machineman. (Bihar)	25—2/3—45. 20—2/3—40.	Rs. 40	50—2—70—3—85	(Distinction between Bengal and Bihar grades abolished under agreement with the Unions).
25. Mason and Amin Mistry (Bengal) (Bihar)	26—2/3—40. 22—2/3—36.	Rs. 42		Ditto.
26. Head Fitter	Nil	Nil	70—3—100	
27. Painter, Hammerman	Nil	Nil	35—1—45	
28. Head Mistry	Nil	Nil	70—3—100	
<i>Loco Line Staff.</i>				
29. *Loco Foreman : Grade I II	100—5/5—120. 130—5/3—150.	Rs. 160.	130—10—250	(Grade II abolished).
*Asst. Do	Nil	Nil	75—5—150	
30. *Carriage Examiner	30—2/3—48	Rs. 48	75—5—150	
*Asst. Do	Nil	Nil	50—3—80	
31. *Electric Inspector	Nil	Nil	(Special).	
*Asst. Do	Nil	Nil	75—5—150	

32. Fitter-in-Charge	Nil	Nil	80—5/2—120
33. Train Lighter, Checker	Nil	Nil	40—1—50
34. Blacksmith, Carpenter, Fitter, Boiler-maker, Turner, Lead Burner Cell-Charger. } Same as (24)			Same as (24)
Asst. Do	Nil	Nil	40—1—50
35. Diesel Fitter	Nil	Nil	70—5/2—100
36. Shed Khalasi, Carriage Washer, Cook, Bhisty, Pumper, Cleaner, Lampman, Coalman, Wagon Examiner.	30—1/2—35
37. Chowkidar, Wheel Taper	Nil	Nil	31—1/2—40
38. Driver-in-Charge	Nil	Nil	75—5—120
Drivers (Bengal)	25—3/1—60—5/1—70	Rs. 40	45—2—65—3—80—
“ (Bihar)	23—3/1—53—5/1—68		E. B.—5—105.
39. Shunter	Nil	Nil	40—2—50
40. Fireman, Pump Driver (Bengal)	17—2—25	Rs. 27	35—2—45
“ (Bihar)	15—2—23		
41. Clock Winder	Nil	Nil	35—2—45
42. Coal Checker	Nil	Nil	40—2—60
43. Fuel Supervisor	Nil	Nil	75—4—115
44. Steam-man	Nil	Nil	33—1—35
45. Mates	Same as (19)		Same as (19)
46. Fitter-in-Charge (H. A. Running Shed)	Nil	Nil	75—5—120

Banra Workshop Staff :

47. *Loco Works Foreman	(Special as required)	Rs. 208	
	130—5/3—150		
*Asst. Do	50—5/3—80	„ 80	75—5—150†

1	2	3	4	5
48. *Boiler Inspector	60—5/2—100	Rs. 96	250—20—350	
49. Boiler Assistant	Nil	Nil	Special.	
50. *Carnage Examiner	30—2/3—48	Rs. 48	75—5—150	
*Asst. Do	Nil	Nil	50—3—80	
51. Store-Keeper	70—3/2—100	Rs. 112	130—5—180/E.B.—10—200.	
52. Train Lighter, Tools Keeper, Checker and Cooly Sardar.	Nil	Nil	40—1—50	
53. Blacksmith, Carpenter, Wheel Grinder, Fitter, Machineman, Boilerman, Turner, Tinsmith and Welder.	Same as (24)	..	Same as (24)	
Asst. Do. and Beltman	Nil	Nil	40—1—50.	
54. Head Mistry and Head Fitter	Nil	Nil	70—3—100 (Same as 26 and 29)	
55. Workshop Chargeman	Nil	Nil	75—4—115—5—130	
56. Oil Engine Driver	Nil	Nil	50—2—70—3—85	
57. Tindal, Painter, Letterman, Hammerman	Nil	Nil	35—1—45 (Same as 27)	
58. Asst. Tindal, Khalasi, Cook and Waterman.	Nil	Nil	30—1/2—35 (Same as 36)	
59. Packer, Rivetter	Nil	Nil	40—1—50	
60. Chowkidar	Nil	Nil	32—1/2—40	
Do. Head	Nil	Nil	34—1/2—45	
61. Driller	Nil	Nil	45—1—50—2—60	
62. Apprentice	Nil	Nil	30—2—35—4—40	

Traffic Line Staff.

63.	*Traffic Inspector—Grade I	.	.	100—5/3—120	.	Rs. 160	.	†130—10—250.
	" " II	.	.	130—5/3—150	.		.	
	*Asst. Do.	.	.	40—5/3—80	.	,, 64	.	75—5—150
64.	T. T. E.	(Bengal)	.	22—2/2—32	.	,, 35	.	40—2—70
		(Bihar)	.	20—2/2—30	.		.	
65.	Ticket Collector	(Bengal)	.	18—1/2—25	.	,, 29	.	38—1—42—2—60
		(Bihar)	.	15—1/2—22	.		.	
	Do. Head	.	.	25—2/2—35	.	,, 40	.	70—4—130
66.	Batch-in-Charge	.	.	Nil	.	Nil	.	45—2—70—3—85
	Do Head	.	.	Nil	.	Nil	.	70—4—130
67.	Ticket Collector (Lady)	.	.	35—2/2—45	.	Rs. 56	.	70—10—150
68.	Station Master	(Bengal)	.	40—3—60—5—70	.	,, 64	.	75—3—79—5—104 E.B.—5—114
		(Bihar)	.	30—3—50—5—60	.		.	100—5—150 (Special Stations)
	Asst. Do.	(Bengal)	.	30—2—40	.	,, 48	.	50—2—60—3—85
		(Bihar)	.	20—2—30	.		.	
69.	Signaller	(Bengal)	.	25—2/2—30	.	,, 40	.	40—2—56—3—65
		(Bihar)	.	20—2/2—26	.		.	
70.	Booking and Goods Clerk	(Bengal)	.	25—2/2—35	.	,, 40	.	40—2—56—3—65
		(Bihar)	.	18—2/2—30	.		.	
71.	Head Booking Clerk	.	.	40—2/2—50—3/2—65	.	,, 64	.	70—4—130
72.	Guards	.	.	25—2/2—35—3/2—50 —5—60	.	,, 40	.	45—2—65—3—80—5—125
73.	*Medical Officer	.	.	70—2—90—5/2—110	.	,, 112	Grade I	130—5—150—10—250
		.	.		.		,, II	200—10—300
74.	Compounder	.	.	28—2/2—40	.	,, 45	.	45—1—50—2—60 (Unpassed) 60—2—70—3—100 (Passed)
75.	Dresser	.	.	Nil	.	Nil	.	35—1—45
76.	Porter, Pointsmen, Running Room Clerk, Gateman,	(Bengal).	.	12—1/3—15	.	Rs. 19	.	30—1/2—35
	(Waterman)	(Bihar)	.	11—1/3—14	.		.	
77.	Sweeper	.	.	According to local rates.	.		.	30—1/2—35
78.	Points Jamadar, Chowkidar.	.	.	16—1/3—20	.	,, 26	.	32—1/2—40

THE HOWRAH-AMTA LIGHT RAILWAY CO. LTD.

APPROXIMATE LIABILITY AS ON 15TH JUNE 1949

Summary

1. *District Board of Howrah---*

	Rs.	Rs.
As on 30th September 1948	1,10,311	
Less Paid since	31,921	
	<u>78,390</u>	
Add Approximate share of profit for the half-year to 31 March 1949 .	78,000	1,56,390

2. *Martin Burn Limited :—*

(a) For Commission :—

As on 30th September 1948	58,631	
Less Paid since	21,642	
	<u>36,989</u>	
Add Approximate Commission for the half year to 31st March 1949.	34,500	
	<u>71,489</u>	

(b) For Goods supplied as per list	61,789	1,33,278
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3. *Employees Provident Fund :—*

Approx. Contribution for the half-year to 31st March 1949 .	71,000
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4. <i>Income Tax</i> (balance of Sec. 18A)	85,498
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5. *Sundry Creditors for Goods Supplied—*

As per List	4,79,460
	<u>9,22,626</u>

EXHIBIT C.

Terms of agreement arising from the discussions between the Martin's Railways (Managing Agents: Messrs. Martin & Co., Calcutta) and the Martin Company Railwaymen's Union, Bihar :—

1. This agreement is entered into in satisfaction of the demands put forward on the basis of the Report of the Central Pay Commission by the employees as represented by their Union and is independent of any enactment or settlement elsewhere.
2. The scales of pay for employees of the three Bihar Lines (A. S., B. B. and F. I.) shall be the same as for the employees of the three Bengal Lines (H. A., H. S. and B. & B.).
3. The Dearness Allowance for all clerical staff shall be Rupees Thirty per month (Rs. 30).
4. The Dearness Allowance for the Inferior Staff attached to and working at the Mercantile Building shall be as existing i.e. Rupees Twenty-four (Rs. 24).
5. The Dearness Allowance for all the other staff shall be Rupees Twenty per month (Rs. 20).
6. The minimum pay for clerical staff shall be Rupees Fifty (Rs. 50) P. M.
7. The minimum pay for all inferior staff Rupees Thirty (Rs. 30) P. M.
8. The minimum pay for skilled artisans Rupees Fifty (Rs. 50) P. M.
9. The minimum pay for semi skilled Rupees Forty (Rs. 40) P. M.
10. The Line Subordinate Staff shall be granted an increase of Rupees Thirteen (Rs. 13) on their present pay exclusive of the Interim Relief of Rupees Four (Rs. 4) already granted.
11. The Clerical Staff shall be granted an increase of Rupees Twelve (Rs. 12) on their present pay.
12. The Interim Relief of Rs. 4 (Rupees Four) shall be consolidated with pay.
13. New scales of pay shall be drawn without delay, if possible within a fortnight from the date of agreement.
14. The increases in pay and Dearness Allowance consequent to this agreement shall be operative from the 1st July, 1947.

Sd. RAJANI MUKHERJI,

PRESIDENT,

Martin Co. Railwaymen's Union, Bihar.

Sd. W. B. UTLEY,

Ag. General Manager,

Martin's Light Railways.

Calcutta, 23rd September 1947.

EXHIBIT D.

Terms of agreement arising from the discussions between the Martin's Railways (Managing Agents : Messrs. Martin & Co., Calcutta) and the Martin's Light Railway Workers' Union, Howrah :

1. This agreement is entered into in satisfaction of the demands put forward on the basis of the Report of the Central Pay Commission on the following points by the employees as represented by their Union and is independent of any enactment or settlement elsewhere.

2. The scales of pay for employees of the three Bihar Lines (A. S., B. R. and F. I.) shall be the same as for the employees of the three Bengal Lines (H. A., H. S. and B. & B.).

3. The Dearness Allowance for all the Clerical Staff shall be Rupees Thirty per month (Rs. 30).

4. The Dearness Allowance for all the other staff shall be Rupees Twenty per month (Rs. 20) and for the Inferior Staff of the Mercantile Building Rupees Twenty-four (Rs. 24).

5. The minimum pay for clerical staff shall be Rupees Fifty (Rs. 50) P. M.

6. The minimum pay for all inferior staff Rupees Thirty (Rs. 30) P. M.

7. The minimum pay for all skilled artisans Rs. Fifty (Rs. 50) P. M.

8. The minimum pay for all semi skilled Rs. Forty (Rs. 40) P. M.

Clause No. 9 Reserved for further discussion.—Sd. S. N. Banerjee.

10. The Clerical Staff shall be granted an increase of Rupees Twelve (Rs. 12) on their present pay.

11. The Line Subordinate Staff shall be granted an increase in pay of Rupees Thirteen (Rs. 13) exclusive of the Interim Relief of Rs. 4 (Rupees Four) already granted.

12. The Interim Relief of Rs. 4 (Rupees Four) shall be consolidated with pay.

13. New scales of pay shall be drawn without delay, if possible within a fortnight from date.

14. The increase in pay and Dearness Allowance consequent to this agreement shall be operative from the 1st July, 1947. The payment to be made before the Pujahs failing which lump sums shall be paid.

Sd. SIBNATH BANERJEE,

PRESIDENT,

Martin's Light Railway Workers' Union.

S. D. UTLEY

Ag. General Manager,

Martin's Light Railways.

Calcutta, 22nd September 1947.

EXHIBIT H.

Martin's Light Railways

MERCHANTILE BUILDINGS,
Calcutta 21st March, 1949.

House Allowance —1 House Allowance may be granted by Managing Agents in individual cases to *essential* servants who are not allotted rent free quarters and live within 1 mile of the station to which they are posted and actually pay rent.

2 It is considered that essential servants are those whose services are liable to be called upon in emergency during any part of the day or night and, or by the nature of their duties they have to reside close to the Railway Station i.e., staff connected with the running trains

House Allowance will at present be at 15 per cent of basic pay. These orders have effect from 16th March 1949

MARTIN BURN LIMITED,

Sd /r. LESLIE MARTIN,

Managing Director,

Managing Agents

No. D/

Copy forwarded to the

for information and compliance.

N. C. KUPPUSWAMI, Under Secy.

